

**ASSEMBLY BILL**

**No. 2288**

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**Introduced by Assembly Member Blakeslee**

February 18, 2010

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An act to amend Section 101.1 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2288, as introduced, Blakeslee. Professions and vocations: boards: review.

Existing law states the intent of the Legislature that all existing and proposed consumer-related boards or categories of licensed professionals be subject to a review every 4 years to evaluate and determine whether each board has demonstrated a public need for the continued existence of that board, as specified.

This bill would make a nonsubstantive, technical change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 101.1 of the Business and Professions
- 2 Code is amended to read:
- 3 101.1. (a) It is the intent of the Legislature that all existing
- 4 and proposed consumer-related boards or categories of licensed
- 5 professionals be subject to a review every four years to evaluate
- 6 and determine whether each board has demonstrated a public need
- 7 for the continued existence of that board in accordance with

1 enumerated factors and standards as set forth in Division 1.2  
2 (commencing with Section 473).

3 (b) (1) In the event that ~~any~~ a board, as defined in Section 477,  
4 becomes inoperative or is repealed in accordance with the act that  
5 added this section, or by subsequent acts, the Department of  
6 Consumer Affairs shall succeed to and is vested with all the duties,  
7 powers, purposes, responsibilities and jurisdiction not otherwise  
8 repealed or made inoperative of that board and its executive officer.

9 (2) Any provision of existing law that provides for the  
10 appointment of board members and specifies the qualifications  
11 and tenure of board members shall not be implemented and shall  
12 have no force or effect while that board is inoperative or repealed.  
13 Every reference to the inoperative or repealed board, as defined  
14 in Section 477, shall be deemed to be a reference to the department.

15 (3) Notwithstanding Section 107, any provision of law  
16 authorizing the appointment of an executive officer by a board  
17 subject to the review described in Division 1.2 (commencing with  
18 Section 473), or prescribing his or her duties, shall not be  
19 implemented and shall have no force or effect while the applicable  
20 board is inoperative or repealed. Any reference to the executive  
21 officer of an inoperative or repealed board shall be deemed to be  
22 a reference to the director or his or her designee.

23 (c) It is the intent of the Legislature that subsequent legislation  
24 to extend or repeal the inoperative date for any board shall be a  
25 separate bill for that purpose.